IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 11970 of 2005

Between:

M/s Odeon Group of Theatres. RTC Cross Roads,

Chikkadapally, Hyderabad, rep. by its Partner Smt. Ameena

Khatoon w/o Zulfi Ravdjee, aged 44 years,
Occ: Business, R/o Hyderabad.

..... PETITIONER

AND

Entertainment Tax Officer, Office of the Commercial Tax Officer,
Vidyanagar Circle, Secunderabad Division, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, directing the respondent to receive the amount claimed in the Notice No. ETO/05/05 dt. 25-5-2005 in six monthly equal installments.

Counsel for the Petitioner : Mr.T.SURYA SATISH

Counsel for the Respondent : SPECIAL GOVERNMENT PLEADER FOR

COMMERCIAL TAX

The Court made the following :

ORDER: (per Sri B. Sudershan Reddy, J)

This writ petition, in our considered opinion, is misconceived. Any further directions in this writ petition may amount to reviewing the order passed by this Court dated 28-04-2005 made in W.P No. 10237 of 2005. This Court while disposing of the said writ petition extended the time for payment of entertainment tax as well as the show tax as demanded in the impugned show cause notice up to 05-06-2005, subject to the condition of the petitioner depositing a sum of Rupees Five Lakhs within one week from the date of the said order. The petitioner already had the indulgence of this Court. It is not possible for this Court to fix the mode of payment of the entertainment tax, which is admittedly due and liable to be paid by the petitioner. We are not inclined to grant any relief whatsoever to the petitioner.

The Writ Petition fails and shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

08-06-2005

(Ramesh Ranganathan, J)

ks/bsv

To

1. Entertainment Tax Officer, Office of the Commercial Tax Officer, Vidyanagar Circle, Secunderabad Division, Hyderabad.

2. Two CCs to the Government Pleader for Commercial Tax, High Court Buildings, Hyderabad (OUT)

3. Two CD copies